

IN THE SUPREME COURT OF THE STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

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In the Matter of:	)	
	)	
AUTHORIZING A WAIVER TO	)	Administrative Directive
UTILIZE ONE-PERSON TEAMS	)	No. <u>2011 -36</u>
FOR JUVENILE INTENSIVE	)	
PROBATION SUPERVISION IN	)	
LA PAZ COUNTY	)	
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Arizona Revised Statutes § 8-353, provides:

- A. The chief juvenile probation officer or the director of court services in each county, with approval of the presiding juvenile court judge of the superior court, shall appoint juvenile probation teams consisting of two juvenile probation officers or one juvenile probation officer and one surveillance officer or one juvenile probation officer and two surveillance officers.
- B. A two person intensive probation team shall supervise no more than twenty-five juveniles at one time. A three person team shall supervise no more than forty juveniles at one time.
- C. The juvenile intensive probation team shall do all of the following:
  - 1. Secure and keep a complete identification record of each juvenile supervised by the team and a written statement of the conditions of the probation.
  - 2. Exercise close supervision and observation over juveniles who are ordered to participate in the intensive probation program including both of the following:
    - (a) Visual contact with each probationer at least four times per week.
    - (b) Weekly contact with the school, employer, community restitution agency or treatment program of the probationer.

Arizona Revised Statutes § 8-356 provides:

- A. The supreme court may waive the requirements of section 8-353, subsections A and B and subsection C, paragraph 2 for a county if the case load of officers supervising juveniles on intensive probation is not more than fifteen juveniles and the program requires visual contact with each probationer at least one time a week.
- B. If a waiver is granted and the intensive probation case load for each officer does not exceed fifteen, officers may supervise other additional juveniles on probation who in the judgment of the chief probation officer require additional supervision or pose a greater than normal risk to the community, as long as the total case load does not exceed fifteen.

Arizona Code of Judicial Administration (ACJA) § 6-302(L) provides: “On request of the participating juvenile court, the administrative director may waive supervision, contact and caseload limit requirements.”

ACJA § 6-302(L)(3) provides: “The director shall file a waiver request with the AOC on a form prescribed by the administrative director. The administrative director shall determine whether to grant the waiver.”

On April 15, 2011, the Honorable Michael Burke, Presiding Judge of the Superior Court in La Paz County, requested the Administrative Office of the Courts to grant a waiver to allow the La Paz County Juvenile Probation Department to utilize a one-person Juvenile Intensive Probation Supervision team. The Administrative Director has given due consideration to this request and finds it is in compliance with statutory requirements for a waiver.

Now, therefore, pursuant to ACJA § 6-302(L),

IT IS DIRECTED that the Superior Court in La Paz County is granted a waiver exempting the probation department from the requirements of A.R.S. § 8-353(A)(B) and (C)(2) for every JIPS officer who provides supervision of not more than fifteen persons and has visual contact with each probationer at least one time per week. All other JIPS officers in the county shall supervise probationers as required by A.R.S. § 8-353.

IT IS FURTHER DIRECTED that this waiver is effective on and after the date of signature.

Dated this 22<sup>nd</sup> day of August, 2011.

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David K. Byers  
Administrative Director